

Conclusion

Consistent with the Congressional directive to avoid unnecessary constraints on the cable programming market, the Commission should reconsider its adoption of "tier-neutral" rate benchmarks and its prohibition on pass-throughs of cost increases attributable to affiliated programmers. If the rate benchmarks are to provide the "simplified form of regulation" envisioned by Congress without arbitrarily harming cable operators, programmers and viewers, they must be revised to account for all relevant statutory and marketplace factors which contribute to reasonable differences among rates.⁸u

Respectfully submitted,

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